

# Comhairle Chontae Atha Cliath Theas

**PR/0261/23**

## **Record of Executive Business and Chief Executive's Order**

<b>Reg. Reference:</b>	SD22B/0497	<b>Application Date:</b>	15-Nov-2022
<b>Submission Type:</b>	Additional Information	<b>Registration Date:</b>	13-Feb-2023
<b>Correspondence Name and Address:</b>	Mr. Jose Matthew 1, Hillcrest Park, Lucan, Co. Dublin		
<b>Proposed Development:</b>	Planning permission is sought for the construction of an office with toilet facility and store to replace existing shed and toilet facility at rear of house.		
<b>Location:</b>	1, Hillcrest Park, Lucan, Co. Dublin		
<b>Applicant Name:</b>	Mr. Jose Matthew		
<b>Application Type:</b>	Permission		

### **Description of Site and Surroundings:**

#### Site Area:

Stated as 0.0298 Hectares.

#### Site Description:

The subject site is located within the established residential Hillcrest Park, Lucan, Co. Dublin and contains a two storey semi-detached dwelling with an area of hardstanding for off-street car parking and small lawn to the front and a rear garden which a lawn and a single storey shed structure affixed to the rear elevation of the dwelling and running along the party boundary with No. 3 Hillcrest Park.

The site is bound to the north by a residential dwelling at No. 3 Hillcrest Park, to the south by a residential dwelling at Nos. 1A Hillcrest Park, to the west by an enclosed area of greenspace which is accessed via a gate off Hillcrest Heights and to the east by an internal circulation road known as 'Hillcrest Park'.

The surrounding streetscape is generally characterised by dwellings of a similar scale and architectural form, with a generally uniform building line.

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### **Proposal:**

Permission is sought for the following:

- Demolition of the existing single storey shed structure (approximately 28sqm).
- Construction of a single storey structure in the rear garden of the existing dwelling connected to the rear elevation of the dwelling via a conservatory, spanning an approximate width of 4.1m and directly adjoining the party boundary with No. 3 Hillcrest Park running for an approximate length of 8.9m. The structure has a flat roof profile, with a parapet capping with an approximate height of 3.32m. The internal layout of the proposed structure is comprised of a toilet and shower room, office and store with an approximate floor area of 42sqm.
- All other ancillary site works above and below ground.

### **Zoning:**

The site is located in an area that is zoned 'RES', where the stated objective is 'to protect and/or improve residential amenity' in the South Dublin County Development Plan 2022-2028.

Overlap is also indicated with the following Development Plan Map layers:

- Bird hazards.
- Inner horizontal surface – Weston Airport.
- Conical Surface - Casement Aerodrome.
- Outer Horizontal Surface – Dublin Airport.

### **Consultations:**

Drainage and Water Services Department: No report received at time of writing.

Irish Water: No report received at time of writing.

Roads Department: No objection.

Parks and Public Realm Department: No objection, subject to conditions.

### **Submissions/Observations /Representations**

Final date for submissions/observations – 19<sup>th</sup> December 2022.

None received.

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### **Relevant Planning History**

#### **Subject site**

#### **SD05B/0608**

Alterations to previously approved Reg. Ref. SD04A/0848 to consist of new front elevation, new rear elevation, replace existing hipped roof with gable ended roof and consequent alterations to floor plans.

**SDCC Decision** Grant Permission, subject to conditions.

#### **SD04A/0848**

Demolition of the existing single storey extension and chimney to the side of existing dwelling, construction of a two storey detached house to the side garden of existing dwelling, relocation of the existing vehicular entrance and provision of a new vehicular entrance to the proposed house.

**SDCC Decision:** Grant Permission, subject to conditions.

#### **SD04A/0143**

Demolition of existing single storey extension and chimney to the side of existing dwelling, construction of a two storey detached house to the side garden of the existing dwelling, relocation of the existing vehicular entrance and provision of a new vehicular entrance to the proposed house.

**SDCC Decision:** Refuse Permission.

#### **Adjacent Sites**

No significant relevant Planning History in the vicinity of the subject site.

### **Relevant Enforcement History**

None recorded.

### **Pre-Planning Consultation**

None recorded for the subject scheme.

### **SEA Sensitivity Screening**

No overlap indicated with the relevant environmental layers.

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### **Relevant Policy in South Dublin County Council Development Plan 2022-2028**

#### *Chapter 4 Green Infrastructure*

##### *Section 4.1 Methodology*

*GI1 Objective 4: To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage and enhance GI resources providing links to local and countywide GI networks.*

##### *Section 4.2.1 Biodiversity*

*GI2 Objective 4: To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: Implementation and Monitoring and the policies and objectives of this chapter.*

##### *Section 4.2.2 Sustainable Water Management*

*GI4 Objective 1: To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.*

##### *Section 6.8.2 Residential Extensions*

*Policy H14: Support the extension of existing dwellings subject to the protection of residential and visual amenities.*

*H14 Objective 1: To favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and compliance with the standards set out in Chapter 13 Implementation and Monitoring and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).*

##### *Section 11.2.1 Sustainable Urban Drainage Systems (SuDS)*

##### *Policy IE3: Surface Water and Groundwater*

*Manage surface water and protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.*

#### *Chapter 12 Implementation and Monitoring*

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### *Section 13.5.8 Residential Consolidation*

#### *Extensions*

*The design of residential extensions should have regard to the permitted pattern of development in the immediate area alongside the South Dublin County Council House Extension Guide (2010) or any superseding standards.*

#### **The South Dublin County Council House Extension Design Guide (2010)**

The design of residential extensions should accord with the South Dublin County Council House Extension Design Guide (2010) or any superseding standards.

#### **Elements of Good Extension Design:**

- *'Respect the appearance and character of the house and local area;*
- *Provide comfortable internal space and useful outside space;*
- *Do not overlook, overshadow or have an overbearing affect on properties next door;*
- *Consider the type of extension that is appropriate and how to integrate it; and*
- *Incorporate energy efficient measures where possible'.*

#### **Overbearing Impact**

- *Locate extensions, particularly if higher than one storey, away from neighbouring property boundaries. As a rule of thumb, a separation distance of approximately 1m from a side boundary per 3m of height should be achieved.*
- *Use light coloured materials on elevations adjacent to neighbouring properties.*

#### **Relevant Government Guidelines:**

**Project Ireland 2040 National Planning Framework**, Government of Ireland (2018).

**Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities**, Department of Housing, Planning and Local Government (2020).

**Urban Design Manual**, Department of the Environment, Heritage and Local Government, (2008).

**Quality Housing for Sustainable Communities-Best Practice Guidelines**, Department of the Environment, Heritage and Local Government (2007).

**Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities**, Department of the Environment, Heritage and Local Government, (2009).

**OPR Practice Note PN01 Appropriate Assessment Screening for Development Management** (March 2021).

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### **Planning Note**

There are a number of discrepancies/deficiencies in the information provided by the Applicant which prevent a complete assessment of the proposed development:

- Article 23(1)(c) of the Planning and Development Regulations states that *'the site layout plan and other plans shall show the level or contours, where applicable, of the land and the proposed structures relative to Ordnance Survey datum or a temporary local benchmark, whichever is more appropriate'*.

It is noted that contours/Finished Floor Levels have not been included on the site layout plans.

- Insufficient detail is shown on the Proposed Site Layout Plan (provided at 1:200) to fully assess the potential for the proposed development to impact on the residential and visual amenity of surrounding properties. Section 23(1)(a) of the Planning and Development Regulations 2001-2021 (as amended) which states that:

*'Site or layout plans shall be drawn to a scale (which shall be indicated thereon) of not less than 1:500 or such other scale as may be agreed with the planning authority prior to the submission of the application, the site boundary shall be clearly delineated in red, and buildings, roads, boundaries, septic tanks and percolation areas, bored wells, significant tree stands and other features on, adjoining or in the vicinity of the land or structure to which the application relates shall be shown.'*

In this regard, the Applicant should be requested to provide an Existing and Proposed Site Layout Plan at 1:500 showing the full detail of the surrounding context of the subject site to facilitate a complete assessment of the potential impact of the proposed development on the visual and residential amenity of surrounding properties.

- The proposed floor plan and elevational drawings do not appear to correspond, for example the proposed side (south-west) elevation appears to show a window either side of a glazed door, but the floor plan drawings only show two windows.

Having regard to the above outlined discrepancies/deficiencies, the Applicant should be requested to provide **ADDITIONAL INFORMATION** in the form of revised drawings to facilitate a complete assessment of the proposed development.

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### **Assessment**

The main issues for the assessment are:

- Zoning and Council Policy.
- Visual and Residential Amenity.
- Vehicular Access and Parking.
- Parks and Public Realm.
- Drainage and Water Services.
- Green Infrastructure.
- Screening for Appropriate Assessment.
- Environmental Impact Assessment.

### ***Zoning and Council Policy***

The proposed development, comprising the demolition of an existing single storey shed structure and its replacement with a single storey structure, is consistent with zoning objective 'RES' – 'To protect and/or improve residential amenity'. As the shed structure is ancillary to the main residential use, it is considered to be permissible in principle under this zoning objective, subject to their being in accordance with the relevant provisions of the South Dublin County Council House Extension Design Guide 2010 and the South Dublin County Development Plan 2022-2028.

### ***Visual and Residential Amenity***

The proposed development shall also be assessed against the relevant policy, including but not limited to the South Dublin County Development Plan 2022-2028 and the South Dublin County Council House Extension Design Guide (2010).

Permission is sought for a of a single storey structure in the rear garden of the existing dwelling connected to the rear elevation of the dwelling via a conservatory, spanning an approximate width of 4.1m and directly adjoining the party boundary with No. 3 Hillcrest Park running for an approximate length of 8.9m. The structure has a flat roof profile, with a parapet capping with an approximate height of 3.32m. The internal layout of the proposed structure is comprised of a toilet and shower room, office and store with an approximate floor area of 42sqm.

As previously outlined, there is a discrepancy between the elevational and floor plan drawings regarding the proposed extent of fenestration in the side (south-west) elevation, given that a glazed door is shown between the 2 No. windows on the elevation, but the door does not appear to be shown on the floor plan. However, despite this discrepancy it is noted that the proposed fenestration is located approximately 5.7m from the nearest boundary and thus would not have a significant impact on the visual and residential amenity of adjacent properties.

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A private amenity space of approximately 50.5sqm would remain should the proposed development be permitted. This is an acceptable level of amenity for the existing dwelling.

Concerns arise regarding the potential for the structure to have an overbearing impact on adjacent properties, particularly the rear amenity spaces of No. 3 Hillcrest Park as the proposed structure directly adjoins the party boundary. The Site Layout Plan is deficient in information regarding the levels/contours of surrounding properties and thus it is difficult to assess the proposed development in the context of any potential change in level. According to the drawings provided by the Applicant, the proposed single storey structure has a height of approximately 3.32m. In comparison, according to the drawings provided by the Applicant the existing structure which it is proposed to demolish has an approximate height of 2.2m. The proposal would therefore represent a significant increase in height when compared to the existing scenario. In this regard, the Applicant's attention is drawn to the following extract from the South Dublin County Council House Extension Design Guide (2010):

*'Locate extensions, particularly if higher than one storey, away from neighbouring property boundaries. As a rule of thumb, a separation distance of approximately 1m from a side boundary per 3m of height should be achieved'.*

Having regard to the existing structure adjoining the party boundary with No. 3 Hillcrest Park, the principle of a similar replacement structure along the boundary is acceptable. However, the proposed increase in height is unacceptable. In this regard the Applicant should be requested by way of **ADDITIONAL INFORMATION** to provide a complete set of revised Site Layout, Plan, Sectional, Elevational and Contiguous drawings demonstrating a reduction in height of the proposed structure to below 3m.

The Application does not state that the single storey structure shall be operated separately to the main dwelling. According to the floorplans provided with the Planning Application, the structure contains an office, store and toilet/shower. These uses would appear to be ancillary to the main dwelling. However, should permission be granted for the proposed development, a **CONDITION** should be attached ensuring that the structure cannot be operated, leased or sold separately to the main dwelling and that the office shall not be operated for commercial purposes.

### ***Vehicular Access and Parking***

It is noted that the proposed development would not alter the vehicular access arrangements or car parking provision of the subject site.

The Report of the Roads Department notes no objection in relation to the proposed development.



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### ***Green Infrastructure***

A report received from the Parks and Public Realm Department indicates that they have no objection to the proposed development, subject to the following **CONDITION**:

*'The applicant is requested to submit a Green Infrastructure Plan which shall be submitted as part of the suite of Landscape Plans that are required for a development. The Green infrastructure Plans should include the following information:*

- *Site location plan showing the development site in the context of the wider GI as shown on the Council's GI Plan for the County.*
- *Indicate how the development proposals link to and enhance the wider GI Network of the County.*
- *Proposed GI protection, enhancement, and restoration proposals as part of the landscape plan, where appropriate, for the site.*
- *Proposals for identification and control of invasive species where appropriate, for the site*

*REASON: In order to ensure the protection and enhancement of Green Infrastructure in the County through the provision of green infrastructure elements as part of the design process in accordance with relevant policies of the CDP 2022-2028'.*

Whilst the Report of the Parks and Public Realm Department is noted, the subject site is not located within a Primary or Secondary GI Corridor as identified in the Green Infrastructure Strategy Map (Figure 4.4 of the County Development Plan 2022 – 2028).

Having regard to the nature and extent of the proposed development i.e., the replacement of a single storey shed structure with a single storey office, store room and toilet, the development will not result in a significant loss of any grassland or permeable surfaces. In this regard, there would be little impact to the existing green infrastructure network and a limited impact in terms of additional runoff from the site.

### ***Drainage and Water Services***

The Irish Water Network map appears to indicate that the subject site is serviced by a public mains and sewer.

Although the floor plan drawing includes an annotation stating, '*WC fittings connected to exist foul sewer*', the information shown on the drawings provided by the Applicant is insufficient to determine the design and feasibility of the connection to the drainage and water services network servicing the subject site. However, having regard to the existing toilet within the shed structure currently present on site, it is apparent that there is a connection in place. Should permission be granted for the proposed development, it is considered appropriate that standard drainage

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**CONDITIONS** should be attached relating to water supply, surface water and foul water drainage.

### ***Screening for Appropriate Assessment***

The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established residential area and comprises a single storey structure in the rear garden of an existing dwelling.

Having regard to:

- the small scale and domestic nature of the development,
- the location of the development in a serviced urban area, and
- the consequent absence of a pathway to the European site,

it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

### ***Environmental Impact Assessment***

Having regard to the nature and scale of the proposed development and pursuant to Schedule 5 of the Planning and Development Regulations 2001 (as amended), the proposal is not a class of development for which a mandatory Environmental Impact Assessment Report is required. Additionally, having regard to the distance of the site from nearby sensitive receptors, the need for environmental impact assessment can therefore be excluded at the preliminary examination and a screening determination is not required.

### **Conclusion**

Having regard to the provisions of the South Dublin County Council Development Plan 2022-2028 and the nature of the development proposed it is considered that the principle of the proposed development is acceptable. However, concerns arise in relation to the potential for the proposed height of the structure to impact on the amenity of adjacent properties. Furthermore, there are deficiencies and discrepancies in the information provided by the Applicant. In this regard, **ADDITIONAL INFORMATION** is required to facilitate a complete assessment of the proposed development and to ensure that the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

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### **Recommendation**

I recommend that **ADDITIONAL INFORMATION** be requested from the applicant with regard to the following:

1. The Applicant is requested to provide a complete set of revised Site Layout Plan, Sectional, Elevational, Plan and Contiguous drawings to address the following deficiencies and discrepancies:
  - (i) It is noted that contours/Finished Floor Levels have not been included on the site layout plans, as is required by Article 23(1)(c) of the Planning and Development Regulations which states that 'the site layout plan and other plans shall show the level or contours, where applicable, of the land and the proposed structures relative to Ordnance Survey datum or a temporary local benchmark, whichever is more appropriate'.
  - (ii) Insufficient detail is shown on the Proposed Site Layout Plan (provided at 1:200) to fully assess the potential for the proposed development to impact on the residential and visual amenity of surrounding properties. The Applicant is requested to provide an Existing and Proposed Site Layout Plan at 1:500 showing the full detail of the surrounding context of the subject site to facilitate a complete assessment of the potential impact of the proposed development on the visual and residential amenity of surrounding properties, in accordance with Section 23(1)(a) of the Planning and Development Regulations 2001- 2021 (as amended) which states that 'Site or layout plans shall be drawn to a scale (which shall be indicated thereon) of not less than 1:500 or such other scale as may be agreed with the planning authority prior to the submission of the application, the site boundary shall be clearly delineated in red, and buildings, roads, boundaries, septic tanks and percolation areas, bored wells, significant tree stands and other features on, adjoining or in the vicinity of the land or structure to which the application relates shall be shown.'
  - (iii) The proposed floor plan and elevational drawings do not appear to correspond, for example the proposed side (south-west) elevation appears to show a window either side of a glazed door, but the floor plan drawings only show two windows.
2. The Applicant is requested to provide a complete set of revised Site Layout Plan, Sectional, Elevational, Plan and Contiguous drawings which demonstrate a reduction in height of the proposed structure to 3m or below.

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### **Additional Information**

Additional Information was requested on 19<sup>th</sup> January 2023.

Additional Information was received on 13<sup>th</sup> February 2023.

The Additional Information received was not deemed to be significant, as such the Applicant was not required to erect a Site Notice or publish a Newspaper Notice.

### **Submissions/Observations**

No submissions / observations received.

### **Assessment**

The following Additional Information was received from the Applicant on 13<sup>th</sup> February 2023:

- Cover Letter prepared by Colin Carroll Architectural Design dated 2<sup>nd</sup> February 2023.
- Drawing No. 23-04-01 – Proposed Ground Floor Plan & Section A-A prepared by Colin Carroll Architectural Design.
- Drawing No. 23-04-02 – Longitudinal Section B-B and Proposed South-West Elevation prepared by Colin Carroll Architectural Design.
- Drawing No. 23-04-03 – Proposed North-East Elevation and Proposed North-West Elevation prepared by Colin Carroll Architectural Design.
- Drawing No. 23-04-04 – Existing and Proposed Site Layout Plans prepared by Colin Carroll Architectural Design.
- Irish Water Web Map.

The Additional Information provided by the Applicant will be assessed below in the context of the two Additional Information Items requested by the Planning Authority on 19<sup>th</sup> January 2023:

#### **Additional Information Item No. 1**

The Applicant has provided revised drawings to address each element of Additional Information Item No. 1 as follows:

- (i) Existing and Proposed Site Layout Plans have been provided which include levels relative to temporary benchmark datum.
- (ii) Existing and Proposed Site Layout Plans have been provided at a scale not less than 1:500. The revised drawings allow for an assessment of the potential impact of the proposed development on adjacent properties. Having regard to the orientation of the rear gardens along Hillcrest Park and the nature, scale and height of the proposed development, it is considered that it will not have a significant impact in terms of overshadowing and overbearing to adjacent properties. As such, it is considered that the proposal would not

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have a significant detrimental impact on the visual and residential amenity of adjacent properties.

- (iii) The revised proposed floor plan and elevational drawings appear to accurately reflect each other.

Having regard to the receiving context of the subject site and the scale of the proposed development it is considered that the proposal would not be materially harmful to neighbouring residential amenity in terms of overshadowing and overbearing. Although the proposed conservatory roof rises above the proposed extension slightly, having regard to the sloped and nature of the roof profile it is considered that it would not be materially harmful to the amenity of adjacent properties.

Overall, it is considered that the proposal would not have an adverse impact on the residential and visual amenity of the subject site and adjacent properties.

It is considered that the revisions have addressed the concerns regarding the potential for the proposed development to impact on the residential and visual amenity of the subject site, adjacent properties and the surrounding streetscape. In this regard, Additional Information Item No. 1 has been satisfactorily addressed.

### Additional Information Item No. 2

The revised drawings provided by the Applicant demonstrate that the height of the proposed structure has been reduced to 3m.

Additional Information Item No. 2 has therefore been successfully addressed.

### **Other Considerations**

#### ***Development Contributions***

No development contribution is raised as the proposal is for a domestic extension comprised of non-habitable floor space i.e. home office.

#### ***SEA Monitoring***

<b>SEA Monitoring Information</b>	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq.m)</b>
Proposed Office and Toilet Facility	42 sqm
<b>Land Type</b>	<b>Site Area (Ha.)</b>
Brownfield/Urban Consolidation	0.0298Ha

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### **Conclusion**

Having regard to the policies outlined in the South Dublin County Development Plan 2022-2028 and the Additional Information provided by the Applicant, it is considered that, subject to conditions, the proposed development generally adheres to the key policies, objectives and guidance and would not be contrary to the proper planning and sustainable development of the area.

### **Recommendation**

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

### **FIRST SCHEDULE**

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2022 - 2028 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

### **SECOND SCHEDULE**

#### **Conditions and Reasons**

1. Development to be in accordance with submitted plans and details.  
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on 13th February 2023, save as may be required by the other conditions attached hereto.  
REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.
2. External Finishes.  
All external finishes shall harmonise in colour and texture with the adjoining dwelling at No. 1 Hillcrest Park, Lucan, Co. Dublin  
REASON: In the interest of visual amenity.
3. (a) Restriction on Use.  
The house and the proposed extension shall be jointly used as a single dwelling unit for residential purposes and shall not be sub-divided or used for any commercial purposes, and the extension shall not be sold, let (including short-term letting), leased or otherwise transferred or conveyed, by way of sale, letting or otherwise save as part of the single dwelling unit.

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REASON: To prevent unauthorised development.

(b) Drainage - Irish Water.

(i) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(ii) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

(iii) All drainage works for this development shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works.

REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.

(c) Minimise Air Blown Dust.

During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

(d) Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall only be operated on the site between 7.00 hours and 19.00 hours weekdays and between 9.00 hours and 13.00 hours on Saturdays. No works shall take place at any time on Sundays, Bank Holidays or Public Holidays.

Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health

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Organisation (WHO) - Guidelines for Community Noise (1999).

The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

- Schedule of works to include approximate timeframes
- Name and contact details of contractor responsible for managing noise complaints
- Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise.

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

NOTE: Adequate provision should be made to facilitate access to and the use of the development, buildings, facilities and services by disabled persons, including sanitary conveniences. The minimum requirements should be as per Part M of the Building Regulations.

NOTE: The applicant/developer of these lands is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

NOTE: Notwithstanding any grant of planning permission; if an applicant requires permission to access local authority land (e.g. public footpaths, public open space or roadways) in order to access utilities, or for any other reason; the applicant should apply via <https://maproadroadworkslicensing.ie/MRL/> for a licence from the Local Authority to carry out those works.

NOTE: The applicant is advised that, in order to use the office as a habitable room, it must comply with the Building Regulations.



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**REG. REF. SD22B/0497**

**LOCATION: 1, Hillcrest Park, Lucan, Co. Dublin**



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**Conor Doyle,  
Assistant Planner**

**ORDER:** A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

**Date:** 13/03/2023



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**Colm Harte,  
Senior Executive Planner**